I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 11-15-04.

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of ARCANGEL et al.

Serial No.: 10/6:

10/658,782

Examiner:

Michael M. McGaw

Confirmation No.:

7355

Art Unit:

1648

Filed:

September 8, 2003

For:

**HCV ASSAY** 

Mail Stop Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97(c)

In accordance with the duty of disclosure set forth in 37 C.F.R. §1.56, Applicant(s) hereby submits the following information in conformance with 37 C.F.R. §§1.97 and 1.98.

- [X] Pursuant to 37 C.F.R. §1.98, a copy of each document cited in the attached Form PTO/SB/08 is enclosed.
- [] No copies of the publications listed on the attached Form PTO/SB/08A are being provided pursuant to 37 C.F.R. §1.98(d) because the publications were previously cited by or submitted to the Office in prior Application Serial No. \_\_\_\_ to which the above-identified application claims priority under 35 U.S.C. §120.

[]	Publications lis	ted on the attached Form PTO/SB/08A were cited in a
	foreign search	or examination report corresponding to PCT application
	serial no.	and mailed on

	[]	of the	M.P.E.F	copy of a non-English publication(s) Pursuant to §609 P., Applicant submits the attached foreign search or eport, which cites such non-English language publication(s).
			ation	copy of a non-English publication(s) English language _ (copy enclosed) claims priority from this non-English
•	[]			explanation of non-English publication(s) for which an ation is not available.
	[]			English translation of non-English publication(s)cited Form PTO/SB/08A.
	[]	Enclos	ed is a	copy of pending patent Application Serial No
C.F.R.				closure Statement is filed after the period specified in 37 he mailing of:
		[X]	a final	action under 37 C.F.R. § 1.113;
		[]	a notic	e of allowance under 37 C.F.R. § 1.113; or
		[]	an acti	on that otherwise closes prosecution in this application.
	In acco	ordance	with 37	C.F.R. § 1.97(c) also enclosed is:
		[X]	Fee un	der 37 C.F.R. § 1.17(p) in the amount of \$180.00; or
		[]	Statem	ent as specified in 37 C.F.R. § 1.97(e):
				Each item of information contained in the Information Disclosure Statement cited herein was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of the Information Disclosure Statement; or
				No item of information contained in the Information Disclosure Statement submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, having made a reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of the Information Disclosure Statement.

## Attorney Docket No. PP19199.003 (2300-19199) Serial No.10/658,782

Page 3

It is respectfully requested that the Examiner consider the above-noted information and return an initialed copy of the attached Form PTO/SB/08A to the undersigned.

Dated: ////s/04

Respectfully submitted,

Chiron Corporation Intellectual Property – R440 P.O. Box 8097 Emeryville, CA 94662-8097

Tel: (510) 923-8406 Fax: (510) 655-35420 By:

Roberta L. Robins Reg. No. 33,208

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				Application Number	10/658,782	
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S	STATEMENT BY APPLICANT			First Named Inventor	Arcangel et al.	
	,			Group Art Unit	1648	
(use as many sheets as necessary)			s necessary)	Examiner Name	Michael M. McGaw	
Sheet	1	of	2	Attorney Docket Number	PP19199.002 (2300-19199)	

U.S. PATENT DOCUMENTS						
	Cite No.1	U.S. Patent Document			Date of Publication of Cited	
Examiner Initials*		Number	Kind Code <sup>2</sup> (if known)	Name of Patentee or Applicant of Cited Document	Document MM-DD-YYYY	
	AA	6,632,601		Chien et al.	10-14-2003	
	AB	6,797,809		Chien et al.	09-28-2004	
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FOREIGN PATENT DOCUMENTS							
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		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)	Name of Patentee or Applicant of Cited Document	of Cited Document MM-DD-YYYY	T <sup>6</sup>
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Examiner	Date	
Signature	Considered	

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>&</sup>lt;sup>1</sup> Unique citation designation number.

<sup>&</sup>lt;sup>2</sup> See attached Kinds of U.S. Patent Documents.

<sup>&</sup>lt;sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).

<sup>&</sup>lt;sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible.

<sup>&</sup>lt;sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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				Application Number	10/658,782	
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S	STATEMENT BY APPLICANT			First Named Inventor	Arcangel et al.	
		_		Group Art Unit	1648	
(use as many sheets as necessary)				Examiner Name	Michael M. McGaw	
Sheet	2	of	2	Attorney Docket Number	PP19199.002 (2300-19199)	

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I	Signature	Considered	
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<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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